

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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1

HOUSE BILL 500

Short Title: Summerville Incorporated.

(Local)

Sponsors: Representative Davis.

Referred to: Local and Regional Government II, if favorable, Finance.

March 12, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE THE TOWN OF SUMMERVILLE.

3 The General Assembly of North Carolina enacts:

4 Section 1. A Charter of the Town of Summerville is enacted as follows:

5 **"THE CHARTER OF THE VILLAGE OF SUMMERVILLE.**

6 **"CHAPTER I.**

7 **"INCORPORATION AND CORPORATE POWERS.**

8 "Section 1-1. **Incorporation and Corporate Powers.** The inhabitants of the Town of
9 Summerville are a body corporate and politic under the name 'Town of Summerville'.
10 Under that name they have all the powers, duties, rights, privileges, and immunities
11 conferred and imposed on cities by the general law of North Carolina.

12 **"CHAPTER II.**

13 **"CORPORATE BOUNDARIES.**

14 "Section 2-1. **Town Boundaries.** Until modified in accordance with the law, the
15 boundaries of the Town of Summerville are as follows:

16 Beginning at a point on the southern right-of-way of U.S. Highway 421, a point in the
17 boundary of the Town of Lillington which is 307 feet west of the intersection of said U.S.
18 highway and west side of Lakeside Drive; thence various courses north and east along
19 said Town of Lillington boundary to a point in the northern right-of-way of U.S. 421 and
20 Town of Lillington boundary; thence west along said northern boundary of U.S. Highway

1 421, 305 feet to a point; thence in a northern direction along the east side of property
2 owned by Jerry and Margie Hamilton; thence across Pine Street (undeveloped at this
3 point); thence along the east line of property owned by Harold and Carolyn Lassiter;
4 thence north along east line and northern line of property of Timmie Nipper until it
5 reaches Lakeside Drive (undeveloped); thence along east side of said Lakeside Drive
6 until it reaches the south right-of-way of SR 1300, Oak Street; thence across said Oak
7 Street and northern right-of-way of N.C. SR 1300 being the southeast corner of property
8 owned by Marshall Woodall, being Lot No. 52 of Pine Hills Subdivision; thence along
9 east line of property owned by Marshall Woodall until it reaches the northern boundary
10 of Pine Hills Subdivision as recorded in Plat Book 18, Page 25 of Harnett County
11 Register of Deeds; thence various courses generally south and west along the northern
12 boundary line of Lots 52, 51, 50, 49, 23, 22, 21, 18, 17, 16, and 15 of Pine Hills
13 subdivision as recorded in Plat Book 18, Page 25 of Harnett County Registry, to an
14 existing iron pipe, thence in a southwest direction 353.07 feet, 845.31 feet, 265.21 feet
15 and 230 feet to northern right-of-way U.S. Highway 421 as shown on property map of
16 Harnett County, Map No. 0640, dated 9-13-94; thence various courses west and
17 northwest along said right-of-way approximately 2,925 feet to a concrete monument in
18 the northern right-of-way of U.S. 421; thence southwest across said U.S. Highway 421 to
19 a point in the southern right-of-way of U.S. Highway 421, the northeast corner of Ruth
20 Purdee property and northwest corner of Carolina Telephone and Telegraph property;
21 thence southwest following the east side of Ruth Purdee property 545 feet; thence in a
22 northwest direction 86 feet; thence in a southwest direction 587.5 feet to a point in the
23 northern right-of-way of SR 1291; thence continuing across SR 1291, 60 feet to a point in
24 the southern right-of-way of SR 1291; thence along western boundary of Charles Denkins
25 property until it reaches his southwest corner; thence in a southeast direction along the
26 southern boundary of property belonging to Charles Denkins and Fred Spivey, until it
27 reaches the northwest corner of property belonging to Pauline Spivey; thence along her
28 west and south line until it reaches the western line of Daniel Spauling; thence in a
29 southwest direction 266.9 feet along the western line of Daniel Spauling property; thence
30 in a southeast direction 92.22 feet; thence 345.62 feet along the southern boundary of
31 Daniel Spauling property; thence in a northeast direction 77.27 feet along the eastern
32 boundary of Daniel Spauling property until it intersects the Summerville Church
33 property; thence along the southern, western and thence again along the southern
34 boundary of said church property until it reaches the northwest corner of Lee Womack
35 property; thence in a southerly direction 475.4 feet; thence southeast along Lee
36 Womack's property 294.39 feet; thence in a southeast direction along the southern
37 boundary of Lee Womack property 126.76 feet to a point in his line, said point is 200 feet
38 from the southwestern right-of-way of SR 1291; thence a new line in a southeastern
39 direction 200 feet parallel to SR 1291 until it intersects the western line of property
40 owned by J.E. Womble & Sons; thence in a southerly direction along J.E. Womble &
41 Sons western line until it reaches the northern right-of-way of SR 1229; thence along the
42 northern right-of-way of SR 1229 in an eastern direction 555 feet; thence across said SR
43 1229 to the southern right-of-way; thence in a southeast direction along the southern

1 property line of Frank B. Yow, 1940 feet where it intersects the southern point of
2 property owned by William R. Thomas; thence along William R. Thomas's eastern line
3 until it intersects the western point of land owned by Donald Ray Langdon; thence along
4 the southern boundary of land owned by Donald Ray Langdon until it reaches the
5 southwest corner of land owned by James Goff; thence along James Goff's southern
6 boundary 236.17 feet; thence along James Goff's eastern line in a northern direction;
7 thence in an eastern direction; thence in a northern direction until it reaches the right-of-
8 way of SR 1291 (Old US 421), being James Goff's northeast corner and being the
9 boundary line of the Town of Lillington; thence with the boundary of the Town of
10 Lillington starting in a westerly direction; thence various directions with the boundary of
11 the Town of Lillington until it reaches the beginning.

12 "CHAPTER III.

13 "GOVERNING BODY.

14 "Section 3-1. **Structure of the Governing Body; Number of Members.** The
15 governing body of the Town of Summerville is the Board of Aldermen which has five
16 members.

17 "Section 3-2. **Manner of Electing Board.** The qualified voters of the entire town
18 nominate and elect the Board.

19 "Section 3-3. **Term of Office of Board Members.** In 1999, and quadrennially
20 thereafter, three members shall be elected to the Board for four-year terms. In 2001, and
21 quadrennially thereafter, two members shall be elected to the Board for four-year terms.

22 "Section 3-4. **Mayor; Term of Office.** The Mayor shall be elected by the qualified
23 voters of the Town in 2001 and quadrennially thereafter for a four-year term.

24 "CHAPTER IV.

25 "ELECTIONS.

26 "Section 4-1. **Method.** Board members shall be elected on a nonpartisan plurality
27 basis and the results determined in accordance with G.S. 163-292.

28 "Section 4-2. **Results.** Election results shall be determined according to Chapter 163
29 of the General Statutes.

30 "Section 4-3. **General Law.** Except as provided by this Charter, town elections shall
31 be conducted in accordance with Chapter 163 of the General Statutes.

32 "CHAPTER V.

33 "ADMINISTRATION.

34 "Section 5-1. **Mayor-Council Plan.** The Town of Summerville shall operate under
35 the Mayor-Council Plan as provided in Part 3 of Article 7 of Chapter 160A of the General
36 Statutes.

37 "Section 5-2. **Interim Board.** From the effective date of this Charter the Mayor is
38 Richard B. Wallace and the Board of Aldermen shall consist of Harold Lassiter, Arthur
39 Whittington, Norman Stone, James Goff, and Robert Womble. Norman Stone, James
40 Goff, and Robert Womble serve until the organizational meeting after the 1999 municipal
41 election. Richard B. Wallace, Harold Lassiter, and Arthur Whittington serve until the
42 organizational meeting after the 2001 municipal election."

1 Section 2. (a) From and after the effective date of this act, the citizens and property in
2 the Town of Summerville shall be subject to municipal taxes levied for the year
3 beginning July 1, 1997, and for that purpose the Town shall obtain from the county where
4 the property is located a record of property in the area herein incorporated which was
5 listed for taxes as of January 1, 1997, and the businesses in the Town shall be liable for
6 privilege license tax from the effective date of the privilege license tax ordinance.

7 (b) The Town may adopt a budget ordinance for fiscal year 1997-98
8 without following the timetable in the Local Government Budget and Fiscal Control Act,
9 but shall follow the sequence of actions in the spirit of the act insofar as is practical. For
10 fiscal year 1997-98, ad valorem taxes may be paid at par or face amount within 90 days
11 of adoption of the budget ordinance, and thereafter in accordance with the schedule in
12 G.S. 105-360 as if the taxes had been due and payable on September 1, 1997.

13 Section 3. This act becomes effective June 30, 1997.